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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR96-569-TSZ
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 HOLLY KAY PRILL,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on August 22, 2007. The United States was represented by AUSA Bruce Miyaki and the
16 defendant by Michael Filipovic and Paula Deutsch. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about December 13, 1996 by the Honorable Barbara
18 Jacobs Rothstein on charges of Bank Robbery, Armed Bank Robbery (2 counts); and Using and
19 Carrying a Firearm in Relation to a Crime of Violence, and sentenced to 123 months custody, 5
20 years supervised release.

21 The conditions of supervised release included the standard conditions plus the requirements
22 that defendant not possess any firearms, submit to search, participate in drug treatment and testing,

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE
PAGE 1

01 participate in mental health counseling, provide access to financial information, and pay restitution
02 in the amount of \$6,974.57. Defendant commenced supervision on February 14, 2006. The
03 conditions of supervised release were modified to require defendant to reside in a community
04 corrections center for up to 180 days, to include a pre-release component. (Dkt. 46.)

05 On April 18, 2006, the defendant admitted to violating the conditions of supervised release
06 by failing to reside in and satisfactorily participate in a community sanction center, as of February
07 23, 2006, in violation of the special condition that she reside in and satisfactorily participate in a
08 community sanction center as a condition of supervision for up to 180 days. The defendant was
09 sentenced to 7 months in custody and 3 years supervised release (Dkt. 60) with residence in a
10 community sanction center for up to 180 days.

11 On December 6, 2006, in a hearing before the Honorable Thomas S. Zilly, defendant
12 admitted to violating the conditions of supervised release by possessing heroin, possessing
13 marijuana, possessing controlled substance paraphernalia, tampering with urine testing, and being
14 terminated from the residential re-entry program. (Dkt. 68.) Pending sentencing on the supervised
15 release violations, defendant was allowed to enter a drug treatment program. (Dkt. 70.) In the
16 interim, additional violations were alleged by defendant's probation officer (numbered
17 consecutively to the five violations which are pending sentencing):

18 6. Failing to notify the probation officer at least 10 days prior to a change in address,
19 in violation of standard condition number 6. (Dkt. 71.)

20 7. Possessing cocaine base, with intent to distribute, a violation of 21 U.S.C. §§
21 841(a)(1) and 841 (b)(1)(B), in violation of the general condition that she violate no federal, state
22 or local laws.

8. Possessing heroin, a violation of 21 U.S.C. § 844, in violation of the general condition that she violate no federal, state or local laws.

9. Using heroin, on or about May 23, 2007, in violation of the general condition that she refrain from any unlawful use of a controlled substance.

10. Associating with a known felon, Michael Brad Bevans, on or about May 23, 2007,
in violation of standard condition number 9. (Dkt. 77.)

The United States now moves to dismiss violations 6-10. (Dkt. 82.)

I therefore recommend the Court dismiss violations 6-10. A hearing has been scheduled by Judge Zilly to address the disposition of admitted violations 1-5 on September 13, 2007 at 1:30. Pending a final determination by the Court, defendant has been detained.

DATED this 22nd day of August, 2007.


Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable Thomas S. Zilly
AUSA: Bruce Miyaki
Defendant's attorney: Michael Filipovic
Probation officer: Christopher S. Luscher, Michael S. Larsen